

REMARKS/ARGUMENTS

The Applicants have studied the Office Action dated February 16, 2005 and have made amendments to the claims to distinctly claim and particularly point out the subject matter which the Applicants regard as the invention. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. Claim 1 has been cancelled without prejudice. Claims 2, 4, 6 and 7 have been amended. By virtue of this amendment, claims 2-10 are pending. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks is respectfully requested.

Allowable Subject Matter

The Applicants wish to thank Examiner Tan for indicating that claims 8-10 comprise allowable subject matter. Office Action dated February 16, 2005, page 3, paragraph 5.

The Applicants further wish to thank Examiner Tan for indicating that claims 2-5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Office Action dated February 16, 2005, page 3, paragraph 4. The Applicants have amended claims 2 and 4, which originally depended from original independent claim 1, so as to be in independent form and to include all of the limitations of the original independent claim 1. No new matter has been added by this amendment. The Applicants further note that claims 3 and 5 depend from amended independent claims 2 and 4, which the Examiner has indicated should be in condition for allowance. The Applicants therefore respectfully submit that the application is now in condition for allowance.

Although the Applicants respectfully disagree with the Examiner's rejection of independent claim 1, the Applicants have elected to cancel independent claim 1 solely for the purpose of expediting the patent application process in a manner consistent with PTO's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000). Claims 2-4 as now presented contains only those limitation of originally filed claims 2 – 5.

IN THE DRAWINGS

Examiner's permission is requested to amend FIGs. 1 through 5 (sheets 1 through 4) with the enclosed FIGs. 1 through 5 (sheets 1 through 4). As allowed under 37 CFR 1.121, an "Annotated Sheet Showing Changes" and a "Replacement Sheet" for new FIGs. 1-5 are attached hereto.

Therefore, this amendment does not narrow the scope of claims 2-5 within the meaning of *Festo*².

(1) Drawings

(1) The Examiner indicated that FIGs. 1 and 3 should be designated by a legend such as --Prior Art--. Office Action dated February 16, 2005, page 2, paragraph 1. The Applicants are submitting corrected drawings as an attachment to this response which contain the legend "Prior Art" on FIGs. 1 and 3. The Applicants believe that the Drawings are now in proper condition for allowance.

(2-3) Rejections - 35 USC § 102

(2-3) The Examiner rejected Claims 1, 6 and 7 under 35 U.S.C. 102(a) as being anticipated by Applicants' submitted prior art of FIG. 2.

The Applicants have cancelled claim 1 without prejudice, thereby rendering the rejection of that claim moot. The Applicants respectfully reserve the right to submit the subject matter of original independent claim 1 in a continuation patent application.

The Applicants have amended independent claim 7 to correct a typographical error. The Applicant has amended "per-defined" to be "pre-defined." Support for this amendment is found in the specification at, for example, page 9, line 27 through page 10, line 2. No new matter has been added by this amendment.

The Applicants have further amended independent claims 6 and 7 to include the all of the limitations of original claim 2, including the limitations of the claims from which original claim 2 depended. No new matter has been added by this amendment. The Examiner has

² *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, No. 00-1543 (122 S. Ct. 1831; 2002 U.S. LEXIS 3818; 62 U.S.P.Q.2D (BNA) 1705)(Decided May 28, 2002).

indicated that original claim 2 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Office Action dated February 16, 2005. The Applicants therefore respectfully assert that amended independent claims 6 and 7 are in condition for allowance, and that the rejection under 35 USC § 102 should be withdrawn.

As indicted above, the Applicants have amended claims 2 and 4, which originally depended from original independent claim 1, so as to be in independent form and to include all of the limitations of the original independent claim 1. The Examiner has indicated that original claims 2-5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Office Action dated February 16, 2005. The Applicants further note that claims 3 and 5 depend from amended independent claims 2 and 4, which the Examiner has indicated should be in condition for allowance. The Applicants therefore respectfully submit that claims 2-5 are now in proper independent form or depend from allowable independent claims. The Applicants therefore respectfully submit that the objection to claims 2-5 should be withdrawn and that the application is now in condition for allowance.

In view of the amendment and remarks above, Applicants believe that claims 2-10 are now in allowable form. Accordingly, Applicants respectfully request that the Examiner withdraw the objections and rejections to these claims.

CONCLUSION

The foregoing is submitted as full and complete response to the Official Action mailed February 16, 2005, and it is submitted that Claims 2-10 are in condition for allowance. Reconsideration of this application in light of this amendment and the above comments is requested. Allowance of Claims 2-10 is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope

of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclosure of information known to be material to the examination of this application. In accordance with 37 CFR § 1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

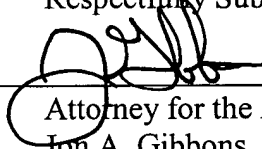
Applicants respectfully submit that all of the grounds for rejection stated in the Examiner's Office Action have been overcome, and that all claims in the application are allowable. No new matter has been added. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

PLEASE CALL the undersigned if that would expedite the prosecution of this application.

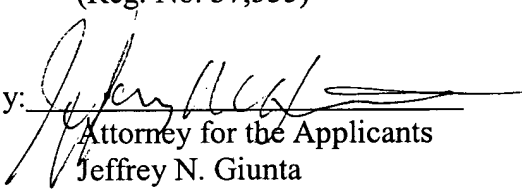
Date: April 12, 2005

Respectfully Submitted,

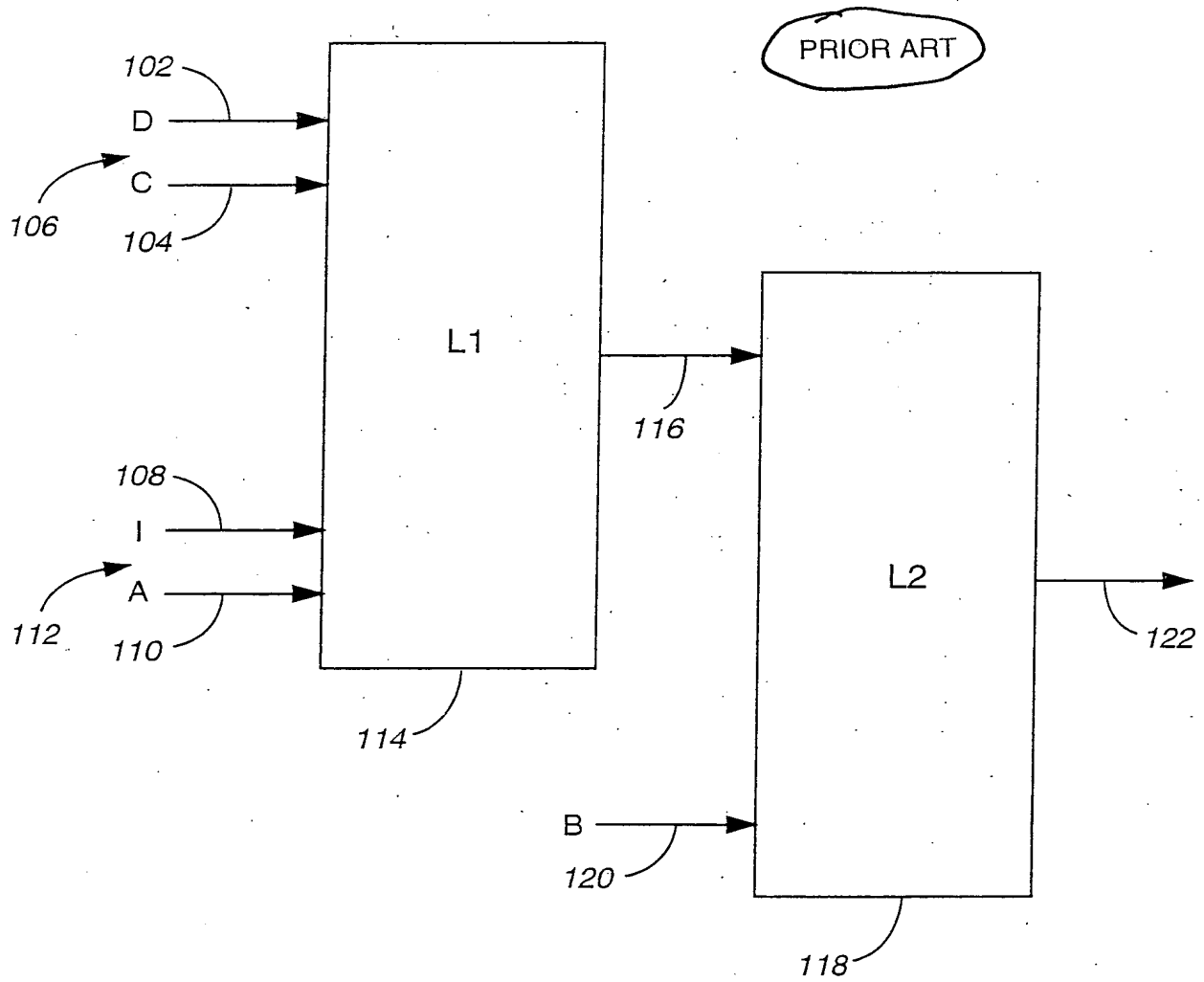
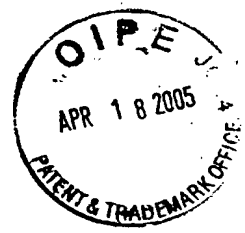
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FIG. 1



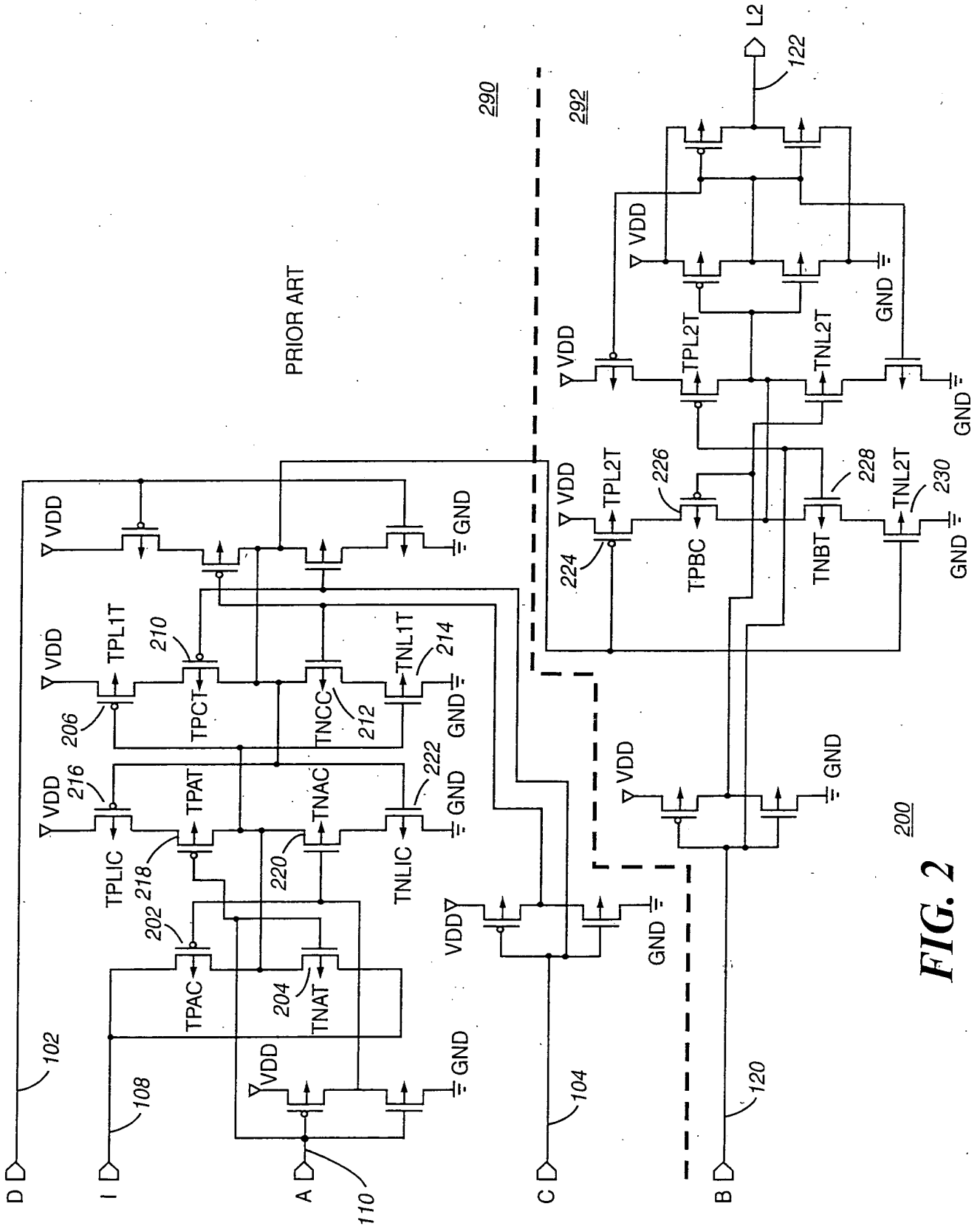
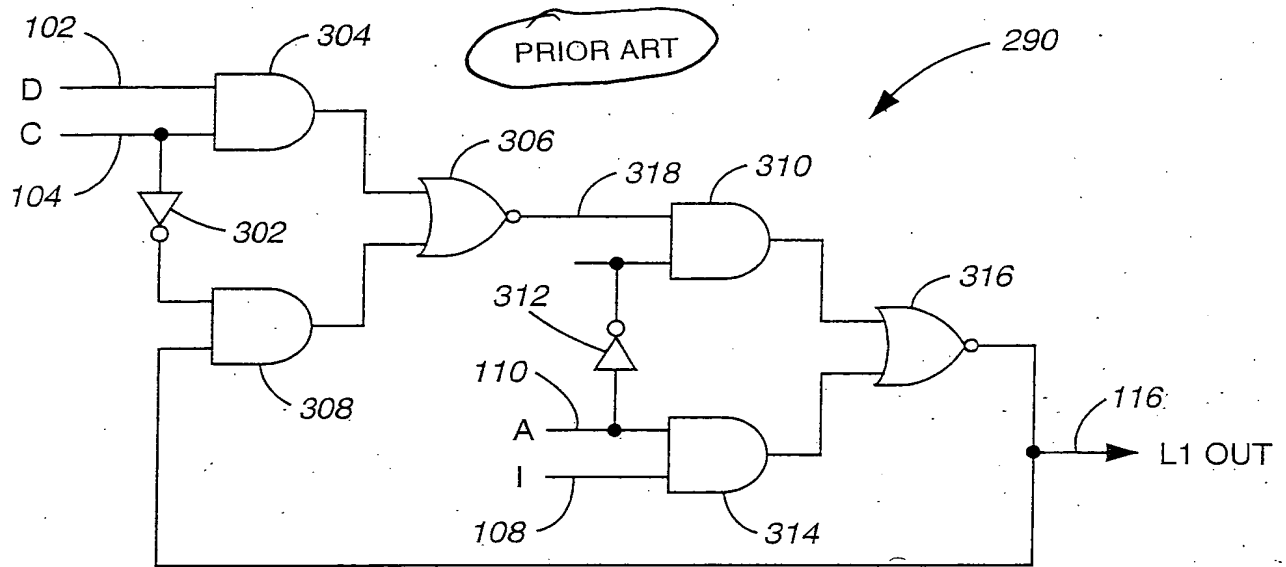
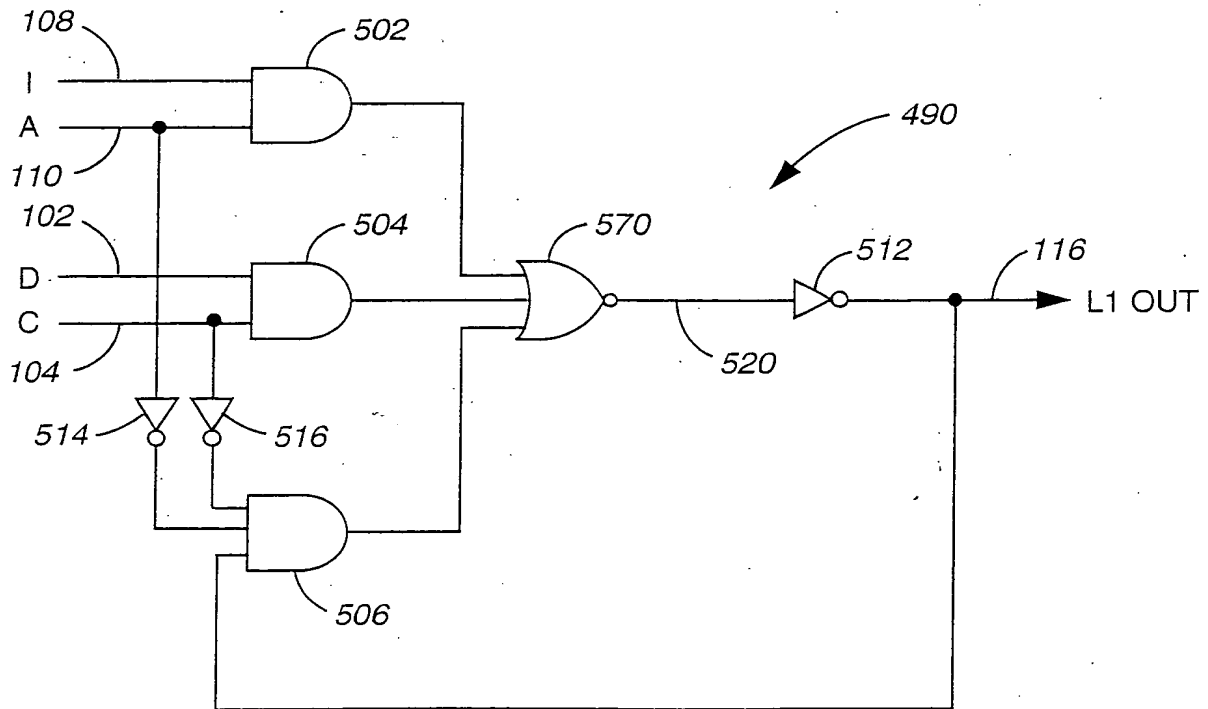


FIG. 2



300
FIG. 3



500
FIG. 5



FIG. 4

